# County of Multnomah

# IN THE NAME OF THE STATE OF OREGON

# TO ANY PEACE OFFICER IN THE STATE OF OREGON, GREETINGS:

1	You are hereby	commanded to searc	h for evidence locate	d in the two sto	orage containers	
2	with assigned number	rs and and	at the PODS fa	acility		
3					These two (2)	
4	PODS storage contain	ners are 16' x 8' x	8' and 7' x 7' x 8'	respectively, to	seize, test, and	
5	examine evidence of	crimes related to Mu	order (ORS 163,115)	and Unlawful u	se of a Weapon	
6	(ORS 166.220) to incl	lude:				
7	1) Any handgu	in, pistol or 9mm ca	diber firearm, 9mm	caliber bullets,	magazines, gun	
8	cleaning equ	ipment, holsters, and	gun safes;			
9	2) Any photogr	aphs depicting Nancy	Lee Crampton-Broph	ny with firearms	;	
10	3) Any receipts	or paperwork for fire	earm purchases or pos	session;		
11	4) Any written	journals, diaries, or no	otes;			
12	5) Any keys, d	locuments for storage	e facilities, or other	information reg	arding locations	
13	where Nancy	y Lee Crampton-Brop	hy is storing personal	effects;		
14	6) To seize an	y computers, laptop	computers, and elec	ctronic tablets	or devices with	,
15	internet brov	wsing abilities;				
16	7) To seize any	y cell phones or smar	rt phone devices with	the ability to s	send and receive	
17	text message	es, email, internet brov	wsing, and phone calls	s.		
18					ED	
19	And to seize and analy	yze the aforesaid obje	ects of the search;	The same of	-	
20				SEP	, 17 2018	
21				CIRC	CMAH COUNTY	
22				MULTA	17 2018 CUIT COURT OMAH COUNTY	
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## County of Multnomah

## IN THE NAME OF THE STATE OF OREGON

# TO ANY PEACE OFFICER IN THE STATE OF OREGON, GREETINGS:

1	You are further directed to make R	eturn of this warrant to me within ten (10) days after
2	the execution thereof.	
3	It is further ordered pursuant to OF	RS 165.657 that the file in this cause be sealed until
4	otherwise ordered by the court:	
5		
6	ISSUED over my hand on	9(12/18 at 10:58 a.m. 1p.m.
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8		Acx Horance HEW
9		Signature of Magistrate
10		AMY HOLMES HEHN CIRCUIT COURT JUDGE
11		Title of Magistrate
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1	IN THE CIRCUIT COURT OF THE STATE OF OREGON			
2	MULTNOMAH COUNTY			
3	STATE OF OREGON ) AFFIDAVIT FOR			
4	COUNTY OF MULTNOMAH SEARCH WARRANT			
5				
6	SEP 17 2018 ADDENDUM			
7	CIRCUIT COURT  OULTNOMAH COUNTY  I Darren Posey having been first duly sworn denose and say that I am a Police			
8	I, Darren Posey, having been first duly sworn, depose and say that I am a Police			
9	Detective, and I have been a sworn Peace Officer in the State of Oregon for 21 years, and have			
10	been a Police Detective for over 12 years of that time. I have attended the Department of Public			
11	Safety Standards and Training (DPSST) three-hundred and twenty (320) hour Basic Police			
12	Academy, as well as a DPSST certified three-hundred and sixty (360) hour Advanced Academy			
13	instructed by the Portland Police Bureau. I also attended a DPSST certified eighty (80) hour			
14	Detective Academy. In addition to this training, I graduated Bethany University with a Bachelor			
15	of Arts degree and graduated San Jose City College with an Associates of Arts degree. The			
16	academies I have attended included training on investigating homicides, robberies, and assaults. I			
17	am currently assigned to the Homicide Detail of the Detective Division for the Portland Police			
18	Bureau. My current job assignment includes the investigation and apprehension of subjects who			
19	have committed homicides, attempted homicides, and felony assaults;			
20				
21	That I am seeking a warrant to search two (2) PODS storage containers located at			
22	County of Clackamas, State of Oregon.			
23	These two (2) PODS storage containers are 16' x 8' x 8' and 7' x 7' x 8' respectively for			
24	evidence relating to the murder of Daniel Brophy;			
25				
26	Upon the service of the warrant signed by Multnomah County Circuit Court Judge Karin			

# 1 IN THE CIRCUIT COURT OF THE STATE OF OREGON 2 MULTNOMAH COUNTY Immergut, on September 5, 2018, which is attached and incorporated herein, I was notified by 3 Sergeant Ken Whattam that Nancy Lee Crampton-Brophy had been recently moving items out of 4 the residence at 5 Beaverton, Oregon. Detective Anthony Merrill, DPSST 6 #35227, and I spoke to Jack Brophy, the deceased victim's (Daniel Brophy) father on September 5th, 2018 at about 2031 hours in front of Daniel and Nancy Brophy's house located at 7 Beaverton, Oregon. Jack Brophy told Detective Merrill and I he visited and 8 9 contacted Nancy Lee Crampton-Brophy at her house located at Beaverton, Oregon on September 4th, 2018 and she had a PODS storage container in her 10 11 driveway to store things she was moving from her residence. I know during our conversation 12 with Jack Brophy and based on his and my observation of the residence driveway that this PODS 13 storage container had been moved away to an unknown location. 14 15 Detective Merrill told me during the execution of the search warrant on deceased victim's 16 (Daniel Brophy) residence located at Beaverton, Oregon that he saw a 17 credit card transaction receipt lying on the kitchen counter with a bill of \$200.00 from "All My Sons" moving company in Portland, Oregon dated August 20th, 2018. Detective Merrill told me 18 he called "All My Sons" moving company on September 6th, 2018 and spoke to Andrew 19 20 Bresciani, (Assistant Operations Manager), who told him "All My Sons" moving company 21 packed several items from Nancy Brophy's residence into two (2) PODS storage containers in 22 the residence driveway. Detective Merrill told me that Andrew Bresciani told him their 23 company packed these two PODS storage containers on August 27th, 2018 and August 30th, 2018 24 respectively. 25

Detective Merrill told me he contacted PODS corporate legal counsel, Lockwood Gray,

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# MULTNOMAH COUNTY

on September 11<sup>th</sup>, 2018, and emailed and faxed a Subpoena requesting the location of Nancy
Lee Crampton-Brophy's two (2) PODS storage containers. Detective Merrill told me Lockwood
Gray emailed a response with the results of these two (2) PODS storage containers to him on
September 11<sup>th</sup>, 2018. On September 12<sup>th</sup>, 2018, a Multnomah County Grand Jury and Deputy
District Attorney Shawn Overstreet authorized these records being opened from PODS at my
request. These records indicated these two (2) PODS storage containers have assigned numbers
and and are currently stored at the PODS storage facility located at

That on September 8, 2018, I served a search warrant at

During the service of this warrant we located an unregistered Glock 19, 9mm caliber, gun kit stored in a box with other items such as scarves and purses. Based upon this information I know it is more likely than not I will find additional items and or information in the other places Nancy Brophy has been storing items from her household. In addition I was informed on September 12, 2018, by Leland Samuelson an Oregon State Crime Laboratory scientist that the Glock 19 gun found in the storage locker was not the gun used in the murder of Daniel Brophy. I know based upon my training and experience it is more likely than not that additional firearm components, documentation, and information will be contained in the storage units Nancy Brophy has acquired.

I know from training and experience that premature disclosure of the contents of this affidavit would jeopardize the investigation because it could release information known only to law enforcement investigators. This could allow information to be released that could otherwise be used to check the accuracy of information by witnesses and suspects related to this case.

1	IN THE CIRCUIT COURT OF THE STATE OF OREGON
2	MULTNOMAH COUNTY
3	Based on the foregoing, I request the affidavit be sealed until further ordered by the court
4	excepting that it may be provided to the defense team in this case subject to the terms of any
5	protective order currently governing discovery in the case.
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1	IN THE CIRCUIT COURT OF THE STATE OF OREGON
2	MULTNOMAH COUNTY
3	Therefore, based on the foregoing I pray for an addendum to the warrant to search the two
4	PODS containers with assigned numbers and at the PODS facility
5	County of Clackamas, State of Oregon.
6	These two (2) PODS storage containers are 16' x 8' x 8' and 7' x 7' x 8' respectively, for
7	evidence of crimes related to Murder (ORS 163.115) and Unlawful Use of a Weapon (ORS
8	166.220) to seize, test, and examine, to include:
9	1) Any handgun, Glock pistol or 9mm caliber firearm, 9mm caliber bullets, magazines,
10	gun cleaning equipment, holsters, and gun safes;
11	2) Any photographs depicting Nancy Lee Crampton-Brophy with firearms;
12	<ol> <li>Any receipts or paperwork for firearm purchases or possession;</li> </ol>
13	4) Any written journals, diaries, or notes;
14	5) Any keys, documents for storage facilities, or other information regarding locations
15	where Nancy Lee Crampton-Brophy is storing personal effects;
16	<ol> <li>To seize any computers and electronic tablets with internet browsing abilities;</li> </ol>
17	7) To seize any cell phones or smart phone devices with the ability to send and receive
18	text messages, email, internet browsing, and phone calls.
19	
20	Start.
21	Affiant
22	SUBSCRIBED AND SWORN TO before me this 12 Tday of September 2018
23	SUBSCRIBED AND SWORN TO belore me tins 1 day of day of
24	An itacine Head
25	Judge
26	AMY HOLMES HEHN  CIRCLUT COURT HUDGE

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1	IN THE CIRCUIT COURT OF THE STATE OF OREGON		
2	MULTNOMAH COUN	NTY	
3	STATE OF OREGON )	AFFIDAVIT FOR	
4	COUNTY OF MULTNOMAH	SEARCH WARRANT	
5			
6	I, Darren Posey, having been first duly sworn, depos	se and say that I am a Police	
7	Detective, and I have been a sworn Peace Officer in the Sta	te of Oregon for 21 years, and have	
8	been a Police Detective for over 12 years of that time. I have attended the Department of Public		
9	Safety Standards and Training (DPSST) three-hundred and twenty (320) hour Basic Police		
10	Academy, as well as a DPSST certified three-hundred and sixty (360) hour Advanced Academy		
11	instructed by the Portland Police Bureau. I also attended a DPSST certified eighty (80) hour		
12	Detective Academy. In addition to this training, I graduated Bethany University with a Bachelo		
13	3 of Arts degree and graduated San Jose City College with an Associates of Arts degree. The		
14	academies I have attended included training on investigatin	g homicides, robberies, and assaults. I	
15	am currently assigned to the Homicide Detail of the Detective Division for the Portland Police		
16	Bureau. My current job assignment includes the investigation and apprehension of subjects who		
17	have committed homicides, attempted homicides, and felony assaults;		
18			
19	That I am seeking a search warrant for the following	g locations and items: 1. The	
20	residence of NANCY LEE CRAMPTON-BROPHY locate	d at City of	
21	Beaverton, County of Washington, State of Oregon; 2. The	vehicle used and operated by	
22	NANCY LEE CRAMPTON-BROPHY specifically a 2005	Toyota Sienna mini-van gray in color	
23	with license plate 067BQX; 3. The cell phone of NANCY	LEE CRAMPTON-BROPHY with	
24	assigned phone number : along with any com	nputers, electronic tablets, and any	
25	other electronic devices with internet access;		

2 MULTNOMAH COUNTY

The following information is provided to establish probable cause relative to the information sought in this affidavit, and may not necessarily contain all of the facts and circumstances I am aware of relative to this ongoing investigation.

That On June 2, 2018 I was directed to respond to the Oregon Culinary Institute at 1701 SW Jefferson Street, City of Portland, County of Multnomah, State of Oregon to conduct an investigation related to the homicidal death of Daniel C. Brophy. The assigned Case Number is 18-183742. During the course of this investigation I oversaw the collection of information from the crime scene located in and around the Oregon Culinary Institute located at 1701 SW Jefferson Street, City of Portland, Multnomah County, and State of Oregon.

After reviewing the initial police response, talking to officers present at the scene and debriefing with other investigators who were present, the following information has been developed regarding Case Number 18-183742. I was informed by Sergeant Whattam that police were called to respond to investigate a subject who had been recently shot with a gun and had died in one of the kitchen areas of the Oregon Culinary Institute at 0823 hours on June 2, 2018. The subject who had been killed was identified as Daniel C. Brophy who was an employed instructor at the Oregon Culinary Institute. I personally observed that Daniel C. Brophy's injuries were such that they could not have been self-inflicted, and no firearm was located at the scene. The location of the crime occurred inside the institute, and I learned from staff and personal observation the institute did not have any security surveillance camera systems. After contacting the students and other staff members responding officers were not able to identify any eyewitnesses who had heard or seen the actual crime occur. During the initial interviews with institute administrators I was unable to identify any subjects who had a current grudge or dispute



## MULTNOMAH COUNTY

with Daniel C. Brophy.

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While at the location of occurrence I conducted an audio recorded interview with the wife of Daniel C. Brophy. The wife's name is Nancy Lee Crampton-Brophy. Nancy Lee Crampton-Brophy told us she had come to the Oregon Culinary Institute because a friend had called her about an incident at the institute and it was on the news. Nancy Lee Crampton-Brophy told me she had attempted to call Daniel C. Brophy without result. We spoke to Nancy Lee Crampton-Brophy in order to determine when Daniel C. Brophy left his home and what routines he keeps in the morning. Nancy Lee Crampton-Brophy provided a timeline for when Daniel C. Brophy had left their house that morning and she also provided some background information about her husband. Nancy Lee Crampton-Brophy told us she believed Daniel C. Brophy left their residence in Beaverton sometime around 0705 hours and would have arrived at the institute about ten minutes or so later as they only live about five miles away. Nancy Lee Crampton-Brophy also indicated she was at home at the time her husband left the house. Nancy Lee Crampton-Brophy told us she did not know of any dispute or problem with any person that would provide a motive for this incident. Nancy Lee Crampton-Brophy told us Daniel C. Brophy was well liked at the institute and with the students. Nancy Lee Crampton-Brophy told us she and her husband had decided to buy a handgun in February of this year (2018) after hearing about the school shooting in Florida. Nancy Lee Crampton-Brophy told us she believed it was still at the house, but had not looked at it recently. Nancy Lee Crampton-Brophy said they had not used it as they were not really people that were familiar with guns. Nancy Lee Crampton-Brophy described the gun as a Glock handgun in 9mm caliber.

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While Nancy Lee Crampton-Brophy was at the Culinary Institute with us we asked if we

se, as we were unsure if otection, and it had been and Detective Beniga and condition of the firearm. It a gray colored Toyota were taken of the vehicle as see attached photos in
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ad a security surveillance
he Culinary Institute.

drive west bound on SW Jefferson Street from the area of the Oregon Culinary Institute. The vehicle looked just like the mini-van driven by Nancy Lee Crampton-Brophy. The time the mini-van travels west from the area of the institute was 0728 hours (AM) as adjusted from the

MULTNOMAH COUNTY

surveillance system that was synced to Eastern Standard Time. The mini-van on the video appeared to be driven by a subject who had gray hair. As Detective Beniga was at the house of Nancy Lee Crampton-Brophy we asked him to take some pictures of her vehicle in order to compare it with the video. Detective Beniga told me when he was taking pictures of the mini-van; Nancy Lee Crampton-Brophy spontaneously stated, "Why? I wasn't there this morning, I

was at home."

The information developed from the crime scene and the autopsy conducted the following day determined the bullets involved in the shooting were 9mm in caliber and were fired by a semi-auto type handgun. The casings found at the crime scene were stamped "sig 9mm luger" with silver colored exteriors. I was also able to find from the Oregon Culinary Institute staff that Daniel Brophy had deactivated the alarm for the institute building at approximately 0721 hours on June 2, 2018. From the information developed from the autopsy and the initial observance by the Medical Examiner Daniel Brophy was shot in the back once and shot in the chest once. Both bullet impacts were centrally oriented on his body and both bullets traversed the heart. Daniel Brophy did not have any defensive type wounds on his body. I noted no items or money appeared to have been taken from Daniel Brophy and no sign of a struggle or disturbance was present at the crime scene. Further, no items were found to be disturbed or missing from the Oregon Culinary Institute.

During the initial investigation the cell phone belonging to Daniel Brophy the deceased victim was located on his person during the incident. The phone was seized as evidence and its information downloaded by Detectives in order to preserve the evidence. I personally reviewed the information on the phone in an attempt to discover possible motive and suspect information



2 MULTNOMAH COUNTY

counseling and is familiar with life insurance programs.

related to Daniel Brophy's murder. During the review I found a website book mark for the title "10 ways to cover up a murder." Please see attached copy of website article in EXHIBIT B. I later had contact with Nancy Brophy who confirmed she and Daniel Brophy had a shared Apple I-Tunes account for their phones. From my research into Apple's I-Tune family sharing plans, I know that internet searches and bookmarks are saved to the accounts search history and viewable from any phone attached to the account. I know from talking to Nancy Lee Crampton-Brophy she is a romance novelist and has several books published. I also know from my investigation and interview with Nancy Lee Crampton-Brophy she is involved with medical insurance

I also took time to compare the surveillance video with the pictures of Nancy Lee Crampton-Brophy's mini-van. As I observed the photos I noted an older scratch with indentation of the driver's side rear quarter panel between the top of the rear wheel well and the fuel door. The scratch/indentation was rusted and had been on the vehicle for some period of time. As I was able to view the video with a better monitor, I could see the same deformation in the mini-van on the Bellagio's Pizza surveillance video. I could also see the driver's appearance was consistent to Nancy Lee Crampton-Brophy's appearance.

After further canvasing I noted we were able to find additional video that pictured the same mini-van at the same time frames circling the area at 0708 hours. Located to the west of the Culinary Institute is a MAX platform called the Goose Hollow Station and has a series of camera systems. Detective Merrill and I were able to secure the platform video for this station from 0630 hours to 0730 hours. Detective Merrill and I later reviewed these videos and were able to locate a van matching the description of the Toyota Sienna belonging to Nancy Lee Crampton-Brophy

## **MULTNOMAH COUNTY**

driving in towards the Oregon Culinary Institute at 0641 hours from the west. In one of the videos we were able to identify a portion of the license plate on the gray colored Toyota Sienna mini-van. The viewable digits are "67 B." I was not able to specifically identify the first digit and the last two digits listed on the license plate, but I was able to narrow what is seen into a range of possible digits. The first digit of the plate could be a "0," but it is not completely clear enough to be sure in my estimation. The other digits of the plate observed are consistent with "Q" and "X," but could also possibly be a "D" and a "K." The license plate for the Toyota Sienna mini-van belonging to Nancy Lee Crampton-Brophy is assigned Oregon State License number "067 BQX." I know from my own internet research that Toyota made the same body and light configuration for the Sienna mini-van for 2004 and 2005 models, and I know that the Toyota Sienna mini-van registered to Daniel Brophy match that model seen in the video surveillance I viewed. An Oregon DMV search indicates about 21 vehicles licensed in the State of Oregon to 2004 and 2005 Toyota Sienna vans could fit this partial license plate combination.

The other videos recovered and viewed were able to document a general area of travel for the mini-van. The van is seen arriving on SW Jefferson Street and SW 20<sup>th</sup> Avenue heading east towards the Oregon Culinary Institute at 0641 hours. The vehicle is seen heading north on SW 18<sup>th</sup> Avenue. The van is later seen stopping in front of KGW Studios on SW Jefferson east of the Oregon Culinary Institute. The vehicle waits a short period of time then drives west by another camera located at 1734 SW Jefferson Street and continues west travelling by Bellagios Restaurant at 0708 hours. The van is then seen traversing the roundabout at SW Jefferson and SW 18<sup>th</sup> Avenue where it is encountered by a PGE video security camera located at SW Columbia Street and SW 16<sup>th</sup> Avenue. On this camera the mini-van turns left and drives north on SW 17<sup>th</sup> Avenue towards the Oregon Culinary Institute one block away. The vehicle is not seen

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MULTNOMAH COUNTY

arrival in order to effect his eventual murder.

driving by the other cameras until 0728 hours as it drives by Bellagios Restaurant again as it heads west towards Beaverton. The vehicle is also observed again at the Goose Hollow Tri-Met Station continuing west on NW Jefferson Street and out of view heading towards Beaverton Oregon. Based on the totality of this information I believe Nancy Lee Crampton-Brophy was circling the area in her dark colored mini-van prior to Daniel C. Brophy's arrival at the Oregon Culinary Institute, and Nancy Lee Crampton-Brophy was watching for Daniel C. Brophy's

It should be noted a court order/warrant was served on the AT&T account for the cell phone number of Nancy Lee Crampton-Brophy for the historical location information for the phone. The return of the warrant information requested is still being analyzed, but initial indication shows the phone located in the area of Nancy Lee Crampton-Brophy's residence in Beaverton Oregon during the time of the incident when Daniel Brophy was murdered. According to the initial analysis from the Detective Division crime analyst, Nancy Lee Crampton-Brophy's phone was not used but was on and connected to a nearby cell site.

On June 5<sup>th</sup>, 2018, four days after Daniel Brophy's murder I received a call from Nancy Lee Crampton-Brophy inquiring as to a letter clearing her as a suspect in the death of her husband Daniel Brophy. During this investigation I have been contacted by four different insurance agencies and I have learned that Nancy Lee Crampton-Brophy is the beneficiary of these policies to an approximate value of \$350,000.

During this investigation I spoke to Nathaniel Stillwater the son of Daniel Brophy on June 27, 2018. During our conversation I learned Nancy Lee Crampton-Brophy used to sell life

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insurance. I also found Nathaniel Stillwater was unaware of the recent purchase of a handgun by

Nancy Lee Crampton-Brophy. Nathaniel Stillwater told us he was surprised about the purchase

of the gun, and thought it was odd as he did not know they were considering such a purchase.

Nathaniel Stillwater told us he did not consider Nancy Lee Crampton-Brophy or his father to be

the type of people to own a gun. Nathaniel Stillwater told us he is familiar with firearms and

owns several firearms for hunting and sporting activities. Nathaniel Stillwater told us his father

knew this about him, and he thought his father would have likely talked to him about such a

purchase.

Nancy Lee Crampton-Brophy told me she purchased the firearm at a gun show in February 2018, and she had not used the gun or had any ammunition to load into the firearm. When she gave the firearm to Detective Beniga she also provided a copy of the purchase receipt. The receipt listed J&B Firearm Sales as the vendor who sold the firearm to Nancy Lee Crampton-Brophy. I confirmed the serial number on the firearm matched that of the receipt. I went to J&B Firearms located at 10201SW Beaverton-Hillsdale Highway in Beaverton Oregon. I spoke with the employees there and they informed me that when they sell firearms at the gun shows they do not sell ammunition. The employees showed me the type of zip ties they use for securing weapons at the gun shows. I noted the zip tie used was similar to the one found on the gun Nancy Lee Crampton Brophy had turned over for safe keeping. While at J&B Firearms I noted they had the same type of ammunition for sale that was found in the crime scene. I also noted that J&B Firearms Store is located less than a mile away from Nancy Lee Crampton Brophy's home address.

On August 29, 2018 I submitted an affidavit for a warrant to test and analyze the Glock

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2	MULTNOMAH	COUNTY
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17 firearm given to Detective Beniga and Detective Broughton for safe keeping by Nancy Lee 3 Crampton Brophy. Multnomah County Circuit Court Judge Amy Holmes-Hehn issued a warrant 4 to test and analyze the Glock 17 handgun with serial number I transferred this firearm 5 along with the two casings and bullets recovered from the crime scene to the Oregon State 6 Criminal Laboratory on August 29, 2018. On September 4, 2018 I spoke to Leland Samuelson the forensic scientist and firearm expert who conducted the analysis of the handgun, casings, and 8 bullets. Leland Samuelson told me the Glock 17 handgun with serial number 9 10 the gun that fired the bullets that killed Daniel Brophy. Leland Samuelson told me the gun used to shoot the ammunition components from the crime scene was most likely a different Glock 11 12 handgun of 9mm caliber. Leland Samuelson confirmed the same gun was used to fire both

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# 1. Residential Search:

bullets in the murder Daniel Brophy.

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Brophy at City of Beaverton, County of Washington, State of Oregon.

This location is a single story residence with a detached garage; two tone blue colored siding with white colored trim around the windows and eves, and a gray colored composite roof. The numbers 'for the residence are affixed to the right side of the front door.

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From my training and experience as a police detective along with conversations with other investigators I know that more likely than not persons involved in premeditated murder will conduct extensive research and planning in order to conduct and conceal their crime. This research includes internet searches with personal home computers on how best to conduct a

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# IN THE CIRCUIT COURT OF THE STATE OF OREGON

# MULTNOMAH COUNTY

murder as well as how to avoid detection. I know from my training and experience investigating similar premeditated crimes that these internet searches can be bookmarked for future access providing evidence of intention and motive, I also know these internet searches will include inquiries into areas on how to flee apprehension, as well as ways to best benefit from the commission of the crime, such as insurance agency protocols and correspondence for payment of benefits from various policies. I know this research and planning can be found on electronic devices such as computers, electronic tablets, smart phones, personal journals and diaries, and printed documents. I further believe that it is more likely than not that this type of evidence will be located within the home located at

Beaverton, Oregon because of the previously mentioned bookmark on the Brophy's shared iPhone account revealing a prior search for "10 ways to cover up a murder."

That I know from my training and experience as a police detective, suspects who commit criminal actions with firearms often secrete and retain items of evidence in residences and vehicles which they may occupy to include but not limited to: guns, ammunition, clothing, and documents showing ownership. These items can also be intermingled with receipts showing dominion and control of personal property along with items and proceeds of the criminal action and items of identification leading to the identity of additional suspects. That I know from my training and experience that handguns are easily hidden on a person, within their clothing, within vehicles, and within residences. I know based on my training and experience that Glock handguns can range in size from small enough to be hidden in a closed hand, in the case of a small Derringer style handgun, or up to 14 inches in length and using telescopic sights. I know that handguns are discovered by police officers inside places similar to, but not limited to engine compartments, trunks, wheel wells, compartments, consoles, jackets, shoes, closets, safes, and

## MULTNOMAH COUNTY

crawl spaces.

1, \$ 1, \$

That I know based on my training and experience a handgun can be dismantled into its parts and those parts can be hidden anywhere within a vehicle or residence. I know based on my training and experience that handguns, as well as other firearms, are commonly dismantled and their parts hidden in different locations, or traded with other parts, in order to prevent discovery by law enforcement. In addition, the practices of dismantling and hiding firearms are done in an effort to disrupt the potential success of ballistic testing when the firearm is found by law enforcement. I know that these handgun parts can be hidden anywhere to include, but not limited to, residences, pockets of clothing, vehicle compartments, envelopes, plastic baggies, Tupperware type containers, coffee cans, film canisters, and other small containers.

That I know from my training and experience that the Portland Police Bureau Forensics Evidence Division can lift latent fingerprints from non-porous objects, which can be used to identify individuals who possessed the above described items.

That I know from my training and experience that certain items, documents, and electronic devices can show possession, dominion, and control over said premises, including but not limited to keys, mail, envelopes, address books, and similar items are discovered and often relevant in determining the identity of the possessors of the criminally possessed items seized as evidence.

That I know from my training and experience that items such as documents, electronic devices, firearms, and ammunition that are sought in this warrant are often retained by people for

1	IN THE CIRCUIT COURT OF THE STATE OF OREGON
2	MULTNOMAH COUNTY
3	long periods of time, sometimes for several months and or years.
4	
5	That, in reviewing all the above listed information, I have probable cause to believe
6	evidence of Murder and Unlawful Use of a Weapon will be found inside
7	City of Beaverton, County of Washington, State of Oregon;
8	
9	That I therefore ask the above-entitled court issue a search warrant authorizing the
10	seizure and search of the following: The residence with detached garage, including the curtilage,
11	located at City of Beaverton, County of Washington, State of Oregon;
12	
13	To search for, and seize instrumentalities, and evidence of the crimes of Murder, as
14	defined in Oregon Revised Statute 163.115, and Unlawful Use of a Weapon, as defined in
15	Oregon Revised Statute 166 220 and to authorize the processing, testing, analyzing, comparing,

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Criminalists from the Portland Police Bureau Forensic Evidence Division and/or other Forensic Investigators with the Oregon State Police Criminal Laboratory, or any other sworn law

and/or searching of this evidence by me and other Detectives with the Portland Police Bureau,

enforcement agency within the State of Oregon;

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To include: Evidence of the crimes of Murder and Unlawful Use of a Weapon, including, weapons, firearms, fingerprints, photographs, written material such as journals and notes, cellular phones, computers, electronic tablets, and other electronic devices that use cellular technology to connect to the internet as well as devices that have internet web browsing capabilities, biological materials or trace evidence, and evidence of ownership and correspondence, including text messages, email, internet site information for the selling and

# MULTNOMAH COUNTY

purchase of items (i.e. Craigslist or Offer-Up), postal oriented mail, and purchase receipts or

4 purchase agreements;

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# 2. Vehicle Search:

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I am requesting a warrant to seize and search a gray colored Toyota Sienna mini-van with

9 Oregon license plate "067BQX" for items of evidence related to the murder of Daniel Brophy.

10 The vehicle is currently registered to Daniel Brophy at the address of

11 City of Beaverton, County of Washington, State of Oregon.

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That I know from my training and experience as a police detective, suspects who commit criminal actions with firearms often secrete and retain items of evidence in vehicles which they may occupy to include but not limited to: guns, ammunition, clothing, and documents showing ownership. These items can also be intermingled with receipts showing dominion and control of personal property along with items and proceeds of the criminal action and items of identification leading to the identity of additional suspects. That I know from my training and experience that handguns are easily hidden on a person, within their clothing, within vehicles, and within residences. I know based on my training and experience that handguns can range in size from small enough to be hidden in a closed hand, in the case of a small Derringer or up to 14 inches in length and using telescopic sights. I know that handguns are discovered by police officers inside places similar to, but not limited to engine compartments, trunks, wheel wells,

compartments, consoles, jackets, shoes, closets, safes, and crawl spaces.

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That I know based on my training and experience a handgun can be dismantled into its

MULTNOMAH	COUNTY

parts and those parts can be hidden anywhere within a vehicle or residence. I know based on my training and experience that handguns, as well as other firearms, are commonly dismantled and their parts hidden in different locations, or traded with other parts, in order to prevent discovery by law enforcement. In addition, the practices of dismantling and hiding firearms are done in an 6 effort to disrupt the potential success of ballistic testing when the firearm is found by law enforcement. I know that these handgun parts can be hidden anywhere to include, but not 8 limited to, residences, pockets of clothing, vehicle compartments, envelopes, plastic baggies, 9 Tupperware type containers, coffee cans, film canisters, and other small containers. 10

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That, in reviewing all the above listed information, I have probable cause to believe the vehicle itself is evidence of the murder of Daniel Brophy. I have further probable cause to believe evidence of Murder and Unlawful Use of a Weapon will be found in the gray colored Toyota Sienna mini-van with Oregon license plate "067BQX" for items of evidence related to the murder of Daniel Brophy. The vehicle is currently registered to Daniel Brophy at the address City of Beaverton, County of Washington, State of Oregon.

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That I therefore ask the above-entitled court issue a search warrant authorizing the seizure and search of the following: A gray colored Toyota Sienna mini-van with Oregon license plate "067BQX" for items of evidence related to the murder of Daniel Brophy. The vehicle is City of currently registered to Daniel Brophy at the address of Beaverton, County of Washington, State of Oregon.

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To search for, and seize instrumentalities, and evidence of the crimes of Murder, as defined in Oregon Revised Statute 163.115, and Unlawful Use of a Weapon, as defined in

## **MULTNOMAH COUNTY**

3 Oregon Revised Statute 166.220, and to authorize the processing, testing, analyzing, comparing,

4 and/or searching of this evidence by me and other Detectives with the Portland Police Bureau,

5 Criminalists from the Portland Police Bureau Forensic Evidence Division and/or other Forensic

Investigators with the Oregon State Police Criminal Laboratory, or any other sworn law

enforcement agency within the State of Oregon;

To include: Evidence of the crimes of Murder and Unlawful Use of a Weapon, including, weapons, firearms, fingerprints, photographs, written material such as journals and notes, cellular phones, computers, electronic tablets, and other electronic devices that use cellular technology to connect to the internet as well as devices that have internet web browsing capabilities, biological materials or trace evidence, and evidence of ownership and correspondence, including text messages, email, internet site information for the selling and purchase of items (i.e. Craigslist or

Offer-Up), postal oriented mail, and purchase receipts or purchase agreements;

### 3. Electronic Devices

I am requesting a warrant to seize the cell-phone, computer/laptops, and electronic tablets from Nancy Lee Crampton-Brophy. Given the information in the affidavit, it is more likely than not that Nancy Lee Crampton-Brophy was involved in the murder of her husband Daniel Brophy on June 2<sup>nd</sup>, 2018. I will submit a subsequent affidavit and warrant to search the contents of the above listed seized items.

I know based on my training and experience that cell phones, computers, and electronic tablets have the capability to browse the internet and such browsing history is stored within the



# MULTNOMAH COUNTY

memory of the cell phone, computer, and electronic tablet. I further know based on my training and experience that persons committing offenses described herein will, more likely than not, possess evidence of their criminal acts within their cell phone, computer, and electronic tablet internet browsing history. I know from my training and experience the information stored in these electronic devices can be retained for long periods of time. Such evidence includes plotting, planning and execution of the crime such as researching the location of the crime, researching how to commit the crime including what weapons may be desirable to facilitate the crime and purchasing items and weapons from the internet to assist in the facilitation of the crime. Such evidence also includes apprehension avoidance and concealment of evidence after the crime. I know from my training and experience investigating similar crimes that internet browsing history providing evidence of the crime will, more likely than not, be found throughout the planning phase of the crime until the date of apprehension. Internet browsing history about the crime involving the plotting, planning and execution will, more likely than not, be found throughout the planning phase of the crime and through the date of the crime while internet browsing history after the crime involving discussions of the concealment of evidence linked to the crime and apprehension avoidance, more likely than not, will be found until the date of apprehension;

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Based on the foregoing, I believe that probable cause exists for evidence of the crimes of Murder (ORS 163.115) and Unlawful Use of a Weapon (ORS 166.220), will be found inside; 1. The residence located at City of Beaverton, County of Washington, State of Oregon. This location is a two story residence with a detached garage; two tone blue colored siding with white colored trim around the windows and eves, and a gray colored composite roof. The numbers "3380" for the residence are affixed to the right side of the front

2 MULTNOMAH COUNTY

3 door; 2. The vehicle registered to Daniel C. Brophy and driven by Nancy Lee Crampton-Brophy,

4 a gray colored Toyota Sienna mini-van with Oregon license plate "067BQX;" 3. The cell phone

of NANCY LEE CRAMPTON BROPHY with assigned phone number along

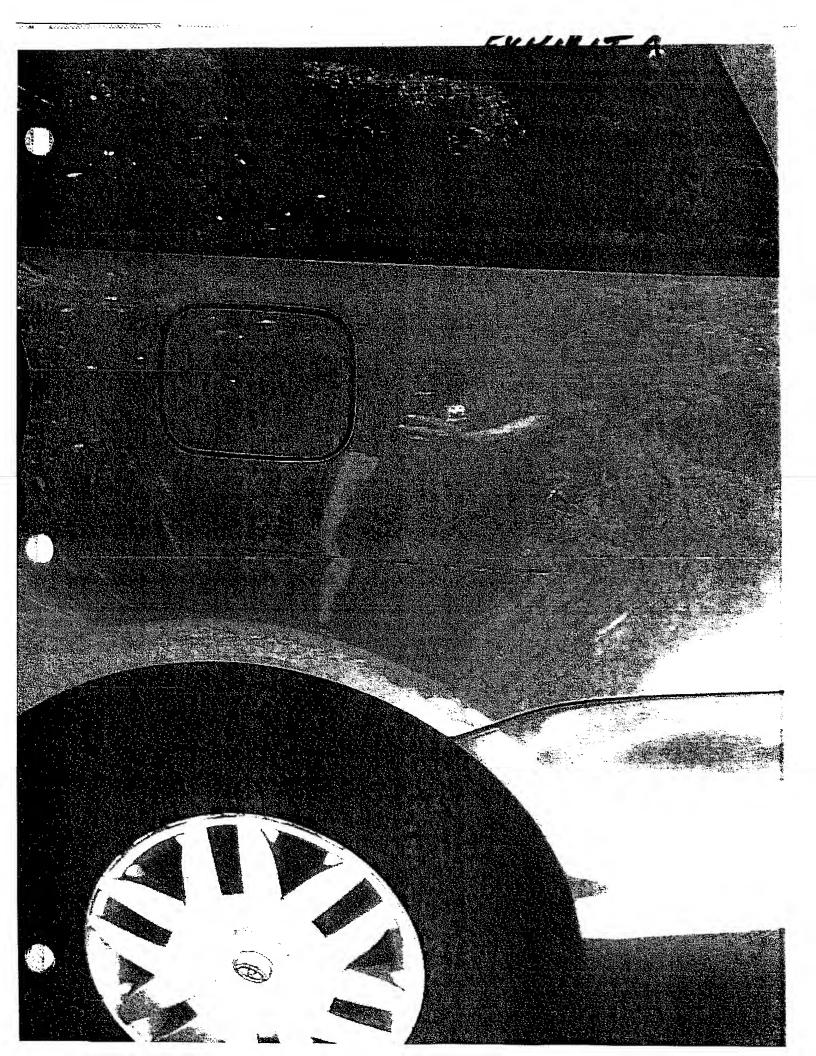
with any computers, electronic tablets, and any other electronic devices with internet access;

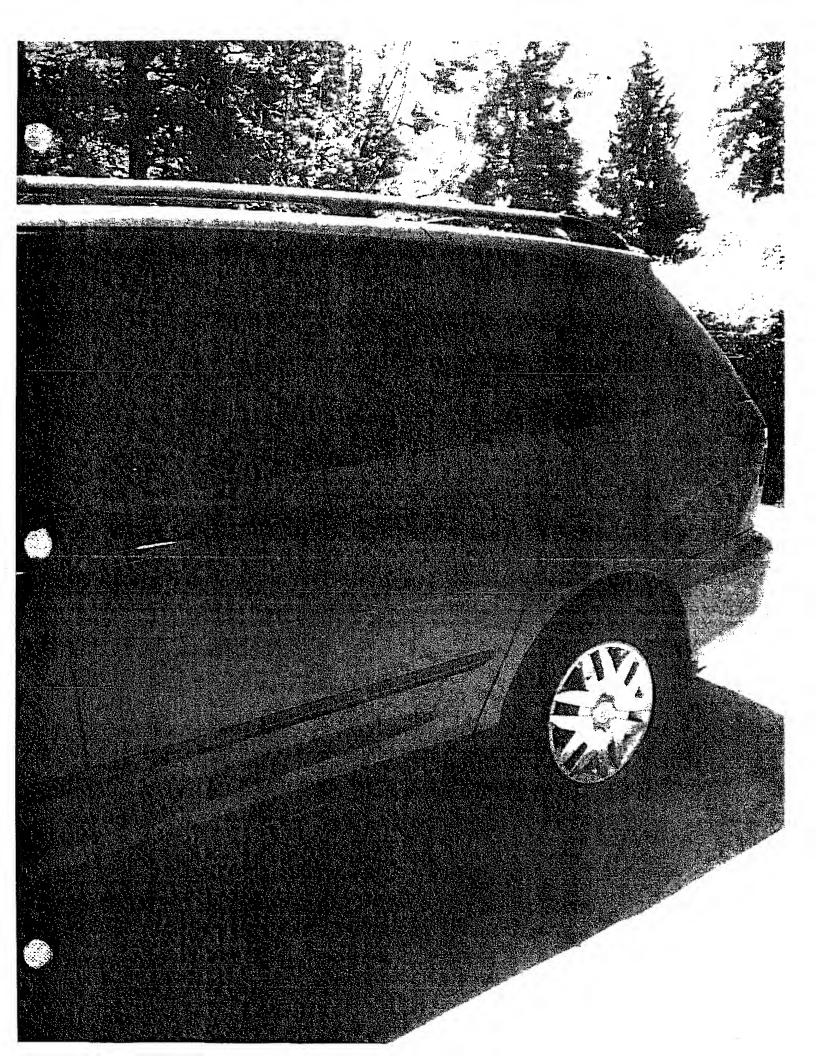
Nancy Lee Crampton-Brophy was placed into custody outside her residence on September 5, 2018. I was informed by Detective Merrill that he spoke to Detective Dan Andrew who told him the following: Nancy Lee Crampton-Brophy spontaneously said upon her arrest, "You're arresting me? You must think I murdered my husband." Later she stated spontaneously, "T'm not a murderer, I just had to get that out." Detective Andrew heard dogs barking inside the residence and Nancy Lee Crampton-Brophy stated no one was in the residence and was in the process of selling the home and had moved furniture out of the home. Detective Andrew noted that new grass sod was in the front yard, and several full trash cans on the property in front of and along the side of the house.

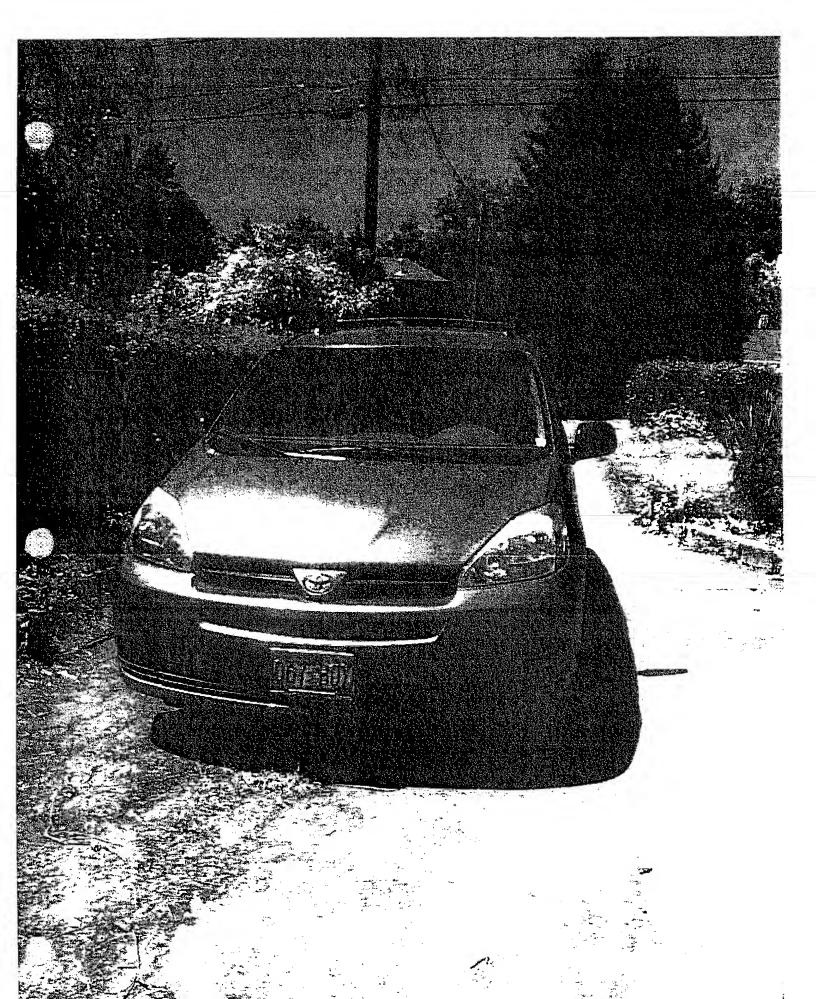
I know from training and experience that premature disclosure of the contents of this affidavit would jeopardize the investigation because it could release information known only to law enforcement investigators. This could allow information to be released that could otherwise be used to check the accuracy of information by witnesses and suspects related to this case. Based on the foregoing, I request the affidavit be sealed until further ordered by the court, excepting that it may be provided to the defense team in this case subject to the terms of any protective order currently governing discovery in the case.

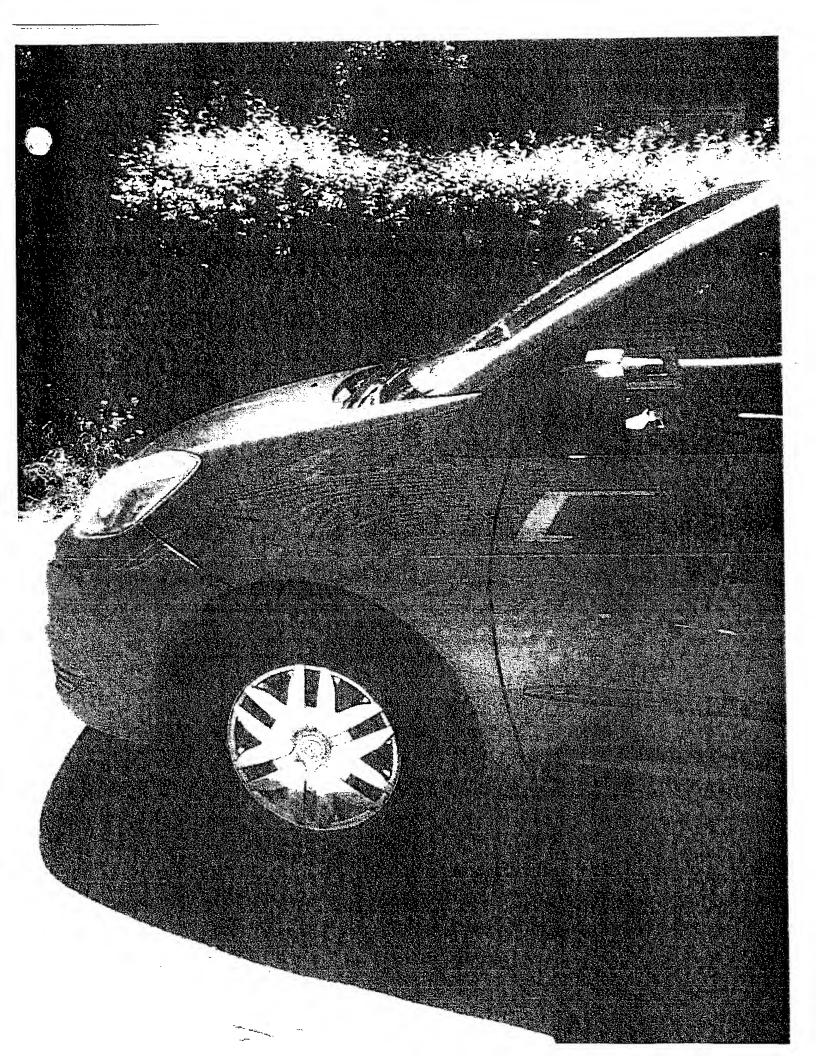
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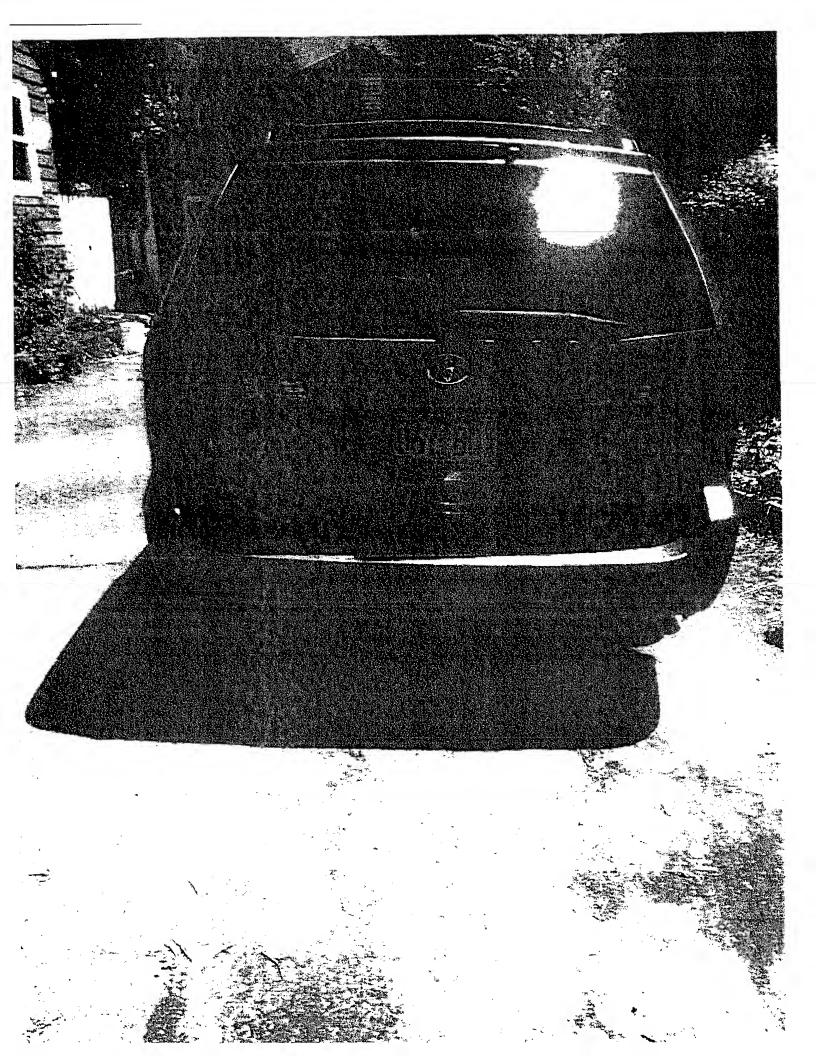
2	MULTNOMAH COUNTY
3	Therefore, based on the foregoing I pray for a warrant to search the residence at
4	City of Beaverton, County of Washington, State of Oregon to include curtilage
5	and hidden areas within and outside the residence and detached garage; and the gray colored
6	Toyota Sienna Mini-van with Oregon license plate "067BQX" and to seize the vehicle for
7	evidence of crimes related to Murder (ORS 163.115) and Unlawful Use of a Weapon (ORS
8	166.220) to seize, test, and examine, to include, but not limited to:
9	1) Any handgun, Glock pistol or 9mm caliber firearm, 9mm caliber bullets, magazines,
10	gun cleaning equipment, holsters, and gun safes;
11	<ol> <li>Any photographs depicting Nancy Lee Crampton-Brophy with firearms;</li> </ol>
12	<ol> <li>Any receipts or paperwork for firearm purchases or possession;</li> </ol>
13	4) Any written journals, diaries, or notes;
14	5) Any keys, documents for storage facilities, or other information regarding locations
15	where Nancy Lee Crampton-Brophy is storing personal effects;
16	<ol> <li>Trash cans located on the property on the side of and in front of the home;</li> </ol>
17	<ol> <li>To seize any computers and electronic tablets with internet browsing abilities;</li> </ol>
18	8) To seize any cell phones or smart phone devices with the ability to send and receiv
19	text messages, email, internet browsing, and phone calls.
20	2
21	X/antan
22	Affiant
23	SUBSCRIBED AND SWORN TO before me this 5 day of September 2018.
24	SUBSCRIBED AND SWORN TO before me this day of
25	Marin I Immerent
26	Judge







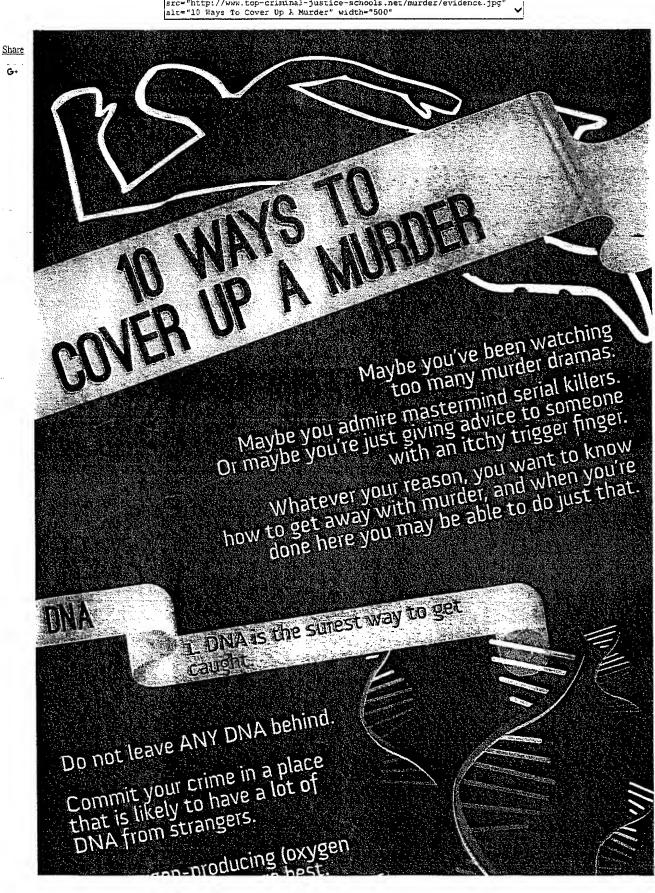


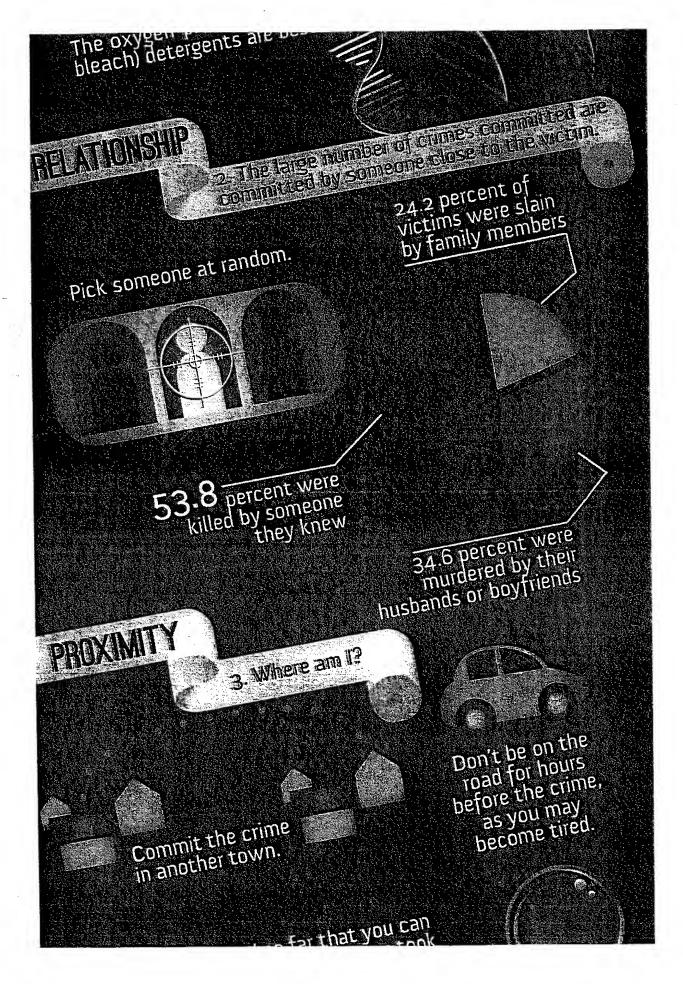


# EXHIBIT B

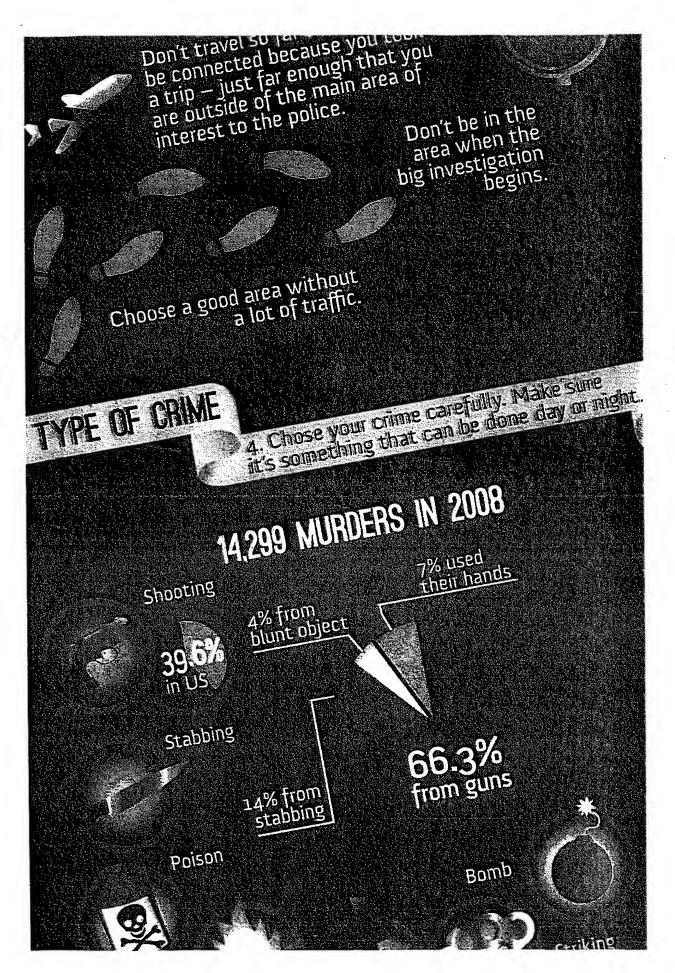
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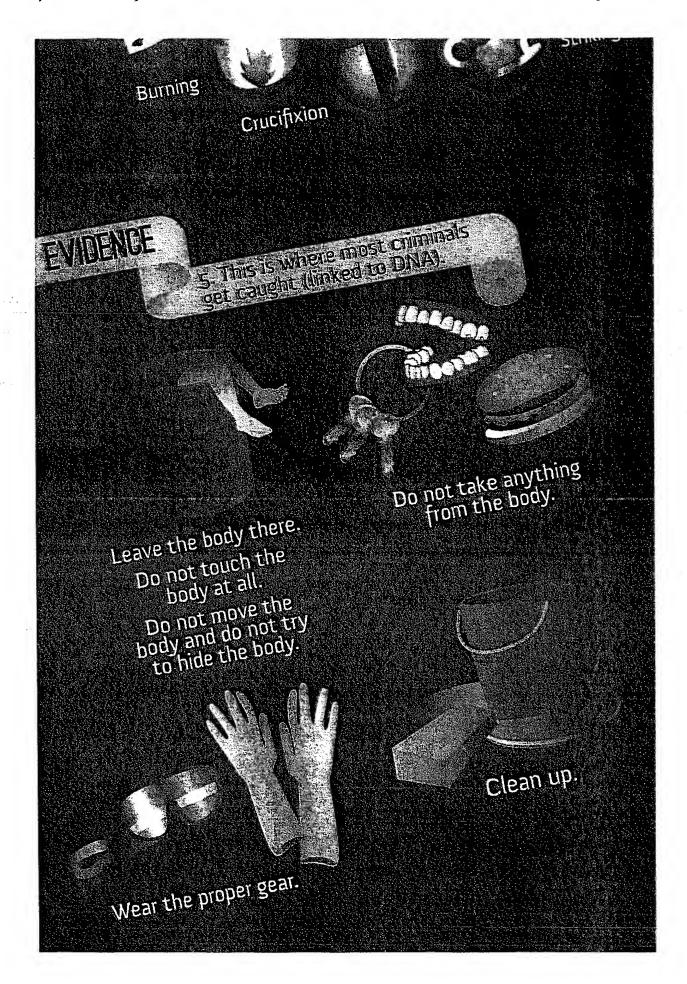
<a href="http://www.top-criminal-justice-schools.net/murder/"><img
src="http://www.top-criminal-justice-schools.net/murder/evidence.jpg"
alt="10 Ways To Cover Up & Murder" width="500"</pre>

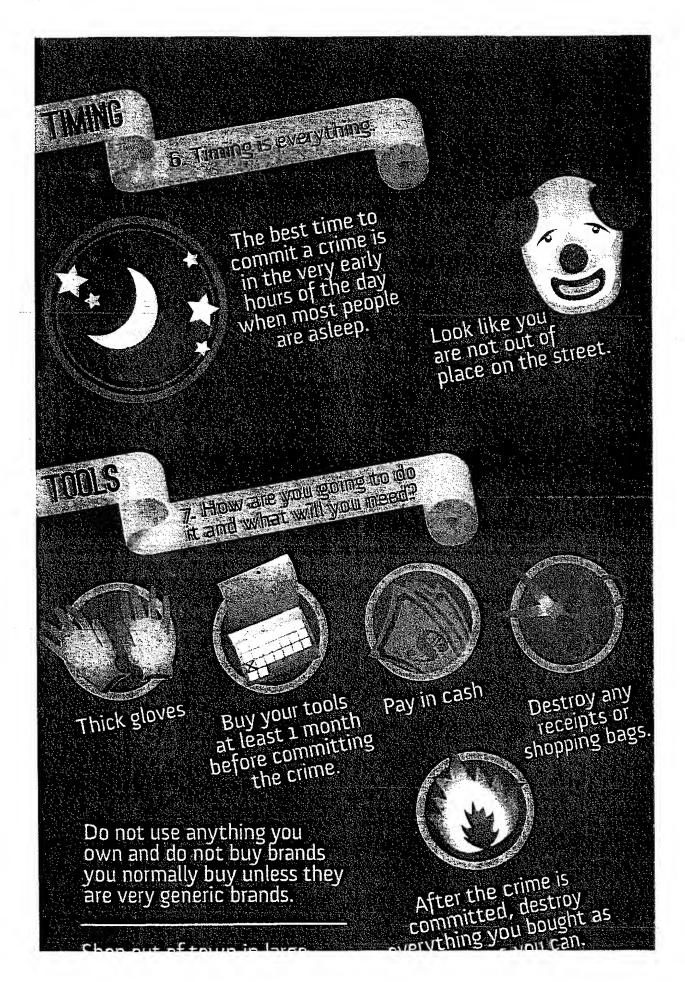


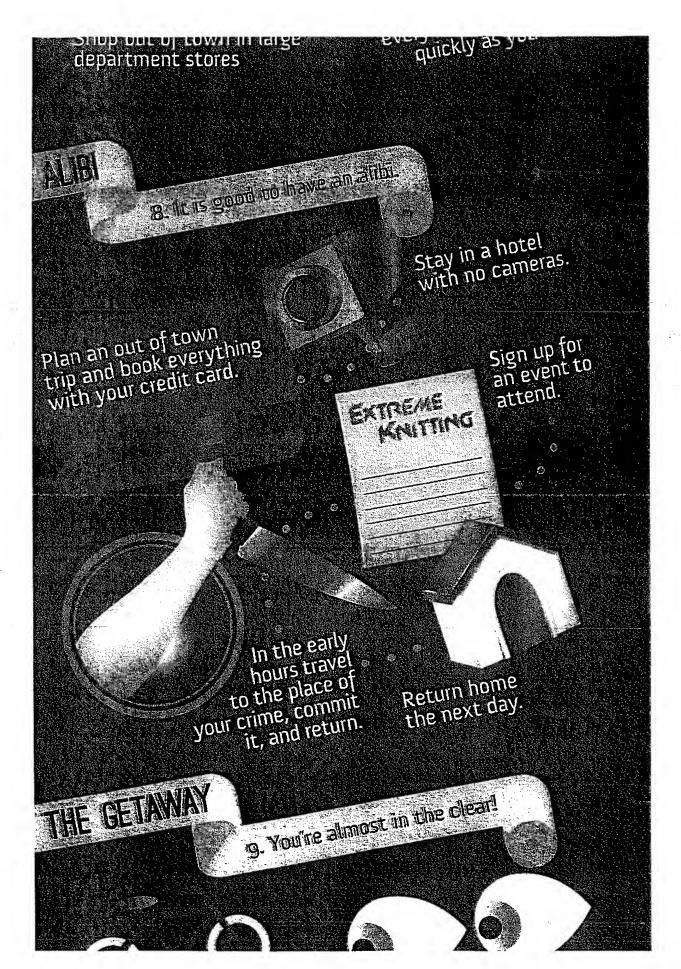


k ...









## Embed this infographic on your sitel

<a href="http://www.top-criminal-justice-schools.net/murder/"><img
src="http://www.top-criminal-justice-schools.net/murder/evidence.jpg"
alt="10 Ways To Cover Op A Murder" width="500"</pre>

## 10 Ways to Cover Up a Murder

At <u>Top Criminal Justice Schools</u>, we thought it would be fun to take a look at the murder from the murderers perspective. So why are you here reading this? Maybe you've been watching too many murder dramas (Dexter anyone?). Maybe you admire mastermind serial killers. Or maybe you're just giving advice to someone with an itchy trigger finger. Whatever your reason, you want to know how to get away with murder, and when you're done here you may be able to do just that. DNA

### Your Signature

#### 1. DNA is the surest way to get caught.

- Do not leave ANY DNA behind.
- · Commit your crime in a place that is likely to have a lot of DNA from strangers.
- The oxygen-producing (oxygen bleach) detergents are best.

#### Relationship

#### 2. The large number of crimes committed are committed by someone close to the victim.

- · Pick someone at random.
- 24.2 percent of victims were slain by family members
- · 34.6 percent were murdered by their husbands or boyfriends
- · 53.8 percent were killed by someone they knew

Source: http://www2.fbi.gov/ucr/cjus2009/offenses/expanded\_information/homicide.html

#### **Proximity**

#### 3. Where am I?

- · Commit the crime in another town.
- Don't travel so far that you can be connected because you took a trip just far enough that you are outside of the main area of interest to the police.
- · Don't be on the road for hours before the crime, as you may become tired.
- · Don't be in the area when the big investigation begins.
- Choose a good area without a lot of traffic.

#### Type of Crime

## 4. Chose your crime carefully. Make sure it is something that can be committed day or night.

- · Shooting 39.6% in US
- Stabbing
- Bomb
- Poison
- Burning
- Crucifixion
- Striking

Source: http://www.nationmaster.com/red/country/us-united-states/cri-crime&all=1

## There were 14,299 murders in 2008

- · 66.3% from guns
- · 14% from stabbing
- 4% from blunt object
- 7% used their hands

Source: http://www.infoplease.com/ipa/A0004888.html

#### Evidence

#### 5. This is where most criminals get caught (linked to DNA).

- · If your crime involves any kind of weapon, use it and drop it. Leave it at the scene.
- · Leave the body there. Do not touch the body at all. Do not move the body and do not try to hide the body
- · Do not take anything from the body.
- · Wear the proper gear.
- Clean up.

#### Timing

#### Timing is everything.

- · The best time to commit a crime is in the very early hours of the day when most people are asleep.
- · Look like you are not out of place on the street.

#### Tools

#### 7. How are you going to do it and what will you need?

- Thick gloves.
- · Do not use anything you own and do not buy brands you normally buy unless they are very generic brands.
- · Shop out of town in large department stores
- · Pay in cash.
- · Destroy any receipts or shopping bags
- · After the crime is committed, destroy everything you bought as quickly as you can.
- · Buy your tools at least 1 month before committing the crime.



#### Alibi



#### 8. It is good to have an alibi.

- · Plan an out of town trip and book everything with your credit card.
- Stay in a hotel with no cameras
- Sign up for an event to attend.
- · In the early hours travel to the place of your crime, commit it, and return.
- · Return home the next day.

## The Getaway

#### 9. You're almost in the clear!

- · The best mode of transport is by bike This will enable you to get off the roads if you need and to travel quickly.
- · You do not want to be seen on the street walking (remember, the Zodiac nearly got caught this way).
- · Fit in with your surroundings.
- · Have a solid story.

#### Aftermath

#### 10. What happened?

- · Do not watch the television and avoid the papers for at least a month. The police can use these as tools to try to psych you out.
- · Continue about your everyday life.
- · Do not brag about your crime to anyone. Don't tell a soul.
- If you do get arrested, do not speak.
- . The police need evidence to convict you if you have done the job right, there won't be any.



# County of Multnomah

# IN THE NAME OF THE STATE OF OREGON

# TO ANY PEACE OFFICER IN THE STATE OF OREGON, GREETINGS:

1	You are hereby commanded to search for evidence located at; I. The residence of
2	City of Beaverton, County of Washington, State of Oregon. This location is
3	two story residence with a detached garage; two tone blue colored siding with white colored trin
4	around the windows and eves, and a gray colored composite roof. The numbers " for the
5	residence are affixed to the right side of the front door; 2. The vehicle registered to Daniel C
6 7	Brophy and driven by Nancy Lee Crampton-Brophy, a gray colored Toyota Sienna mini va with Oregon license plate "067BQX;" 3. The cell phone of NANCY LEE CRAMPTON
8	BROPHY with assigned phone number along with any computers, electronic
9	tablets, and any other electronic devices with internet access to seize, test, and examine evidence
10	of crimes related to Murder (ORS 163.115) and Unlawful use of a Weapon (ORS 166.220) to
11	include, but not limited to:
12	
13	1) Any handgun, pistol or 9mm caliber firearm, 9mm caliber bullets, magazines, gu
14	cleaning equipment, holsters, and gun safes;
15	2) Any photographs depicting Nancy Lee Crampton-Brophy with firearms;
16	<ol> <li>Any receipts or paperwork for firearm purchases or possession;</li> </ol>
17	4) Any written journals, diaries, or notes;
18	5) Any keys, documents for storage facilities, or other information regarding location
19	where Nancy Lee Crampton-Brophy is storing personal effects;
20	<ol> <li>Trash cans located on the property on the side of and in front of the home;</li> </ol>
21	7) To seize any computers, laptop computers, and electronic tablets or devices wit
22	internet browsing abilities;
23	8) To seize any cell phones or smart phone devices with the ability to send and receiv
24	text messages, email, internet browsing, and phone calls.
25	

And to seize and analyze the aforesaid objects of the search;

# County of Multnomah

## IN THE NAME OF THE STATE OF OREGON

## TO ANY PEACE OFFICER IN THE STATE OF OREGON, GREETINGS:

1	
2	You are further directed to make return of this warrant to me within ten (10) days after
3	the execution thereof.
4	It is further ordered pursuant to ORS 165.657 that the file in this cause be sealed until
5	otherwise ordered by the court.
6	
7	
8	ISSUED over my hand on September 5, 2018 at 5:25 a.m. (p.m.)
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10	Jan James Cv
11	Signature of Magistrate
12	Circuit Court & Judge
13	Title of Magistrate O
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# MULTNOMAH COUNTY CIRCUIT COURT FILED SEARCH WARRANT RETURN

20 SEP 17 AM 11: 20

The ORIGINAL WARRANT must be attached to this return. The completed return must be mailed to issuing judge (at 1021 SW 4<sup>th</sup> Ave, Portland, OR 97204) or delivered to that judge in person.

Do not email or fax this return.

Th	ne declarant identif	ied below makes the following search warrant return:
1.	This warrant was i	ssued by Judge Any Holmes Hehr
		ssued on 09 / 12 / 18 at/0:58 am/pm.
3.	The affiant was:	the undersigned, or  BPSST#
4.	The warrant was:	
5.	During the execut	ion of the warrant:  \[ \sumsymbol{\text{No property was seized, or}}\]  Property was seized, see attached \[ \textstyle{\text{Z}}\]  pages, or  \[ \sumsymbol{\text{The below listed items were seized:}}\]
	;	
6.	best of my knowle	nat the above statements (and the attached pages, if any) are true to the dge and belief, and that I understand they are made for use as and are subject to penalty for perjury.    Darren losey   PRINTED NAME
	Agency Portland	Alolie DPSST# 2952/ CONTACT #803-823-0403

619 NW INDUSTRIAL ST., STE. B4 ORTLAND, OREGON 97210 03-823-2179 THIS I	PROPERTY/EVIDENCE RECEIPT RECEIPT MUST BE ACCOMPANIED BY AN APPROPRIATE R	HOURS OF OPERATION: 9:00 AM TO NOON & IEPORT 1:00 PM TO 4:00 PM, M-F
RECEIPT No. A089844 OF		PRB CASE NO. 18-18374, 2
CHECK ONLY EVIDENCE	FOUND PROPERTY PRISONERS.	PROP SAPEKEEPING
PROPERTY TAKEN FROM: LAST NAME	GAVE COPY? - Y FIRST M.L. SEX	PSLUNOLU (************************************
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OWNER OF PROPERTY LAST NAME	FIRST MIL SEX D	OOB
		SIGNATURE
	Y STATE ZIP	PHONE
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LETTER
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NW INDUSTRIAL ST., S TLAND, OREGON 97210 123-2179	THIS RECE		HOURS OF OPERATION: 9:00 AM TO NOON & 1:00 PM TO 4:00 PM, M-F
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NE ADORESS	СПУ	STATE ZIP	SAFEKEERING
NER OF PROPERTY	LAST NAME	FIRST M.I. SEX DOB	SIGNATURE
AE ADDRESS	CITY	STATE	PHONE
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DEFENDANT BUSPECT	LAST NAME POD	#60849BX	SEX RAGE DOB
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<b>在</b> 3001万亿。第5年至30年5	☐ OTHE		
	☐ OTHE	RITE IN SPACE BELOW — FOR PED USE	ONLY  WHITE - RECORDS COPY PINK - WITH PROPERTY YELLOW - CITIZENS RECEIPT